

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY
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ELECTRONICALLY FILED
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DATE FILED: 12/7/2020**

EMANUEL DELACRUZ, *on behalf of himself
and all other persons similarly situated,*

Plaintiff,

v.

HEAD N' HOME INC.,

Defendant.

20-CV-8277 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On October 5, 2020, Plaintiff Emanuel Delacruz brought this action alleging violations of the Americans with Disabilities Act ("ADA"). On October 9, 2020, the Court ordered the parties to submit a joint letter requesting that the Court either (1) refer the case to mediation or a magistrate judge (and indicate a preference between the two options), or (2) schedule an initial status conference in the matter within forty-five days of the service of the summons and complaint.

Plaintiff has not since filed proof of service on the docket, nor has the Court received any response from the parties. No later than December 21, 2020, Plaintiff shall file a letter updating the Court on the status of this case. If, however, Plaintiff does not respond to this Order, the Court may dismiss this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: December 7, 2020
New York, New York



Ronnie Abrams
United States District Judge